

AMENDED IN ASSEMBLY APRIL 11, 2011

AMENDED IN ASSEMBLY MARCH 31, 2011

CALIFORNIA LEGISLATURE—2011–12 REGULAR SESSION

## ASSEMBLY BILL

**No. 924**

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**Introduced by Assembly Member Logue**

February 18, 2011

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*An act to amend Sections 11265.2, 11266.5, 11320.2, and 17021 of, to amend and repeal Section 11454 of, to repeal Section 11320.15 of, and to repeal and amend Section 11327.5 of, the Welfare and Institutions Code, relating to public social services. An act to amend Section 11454 of, to add Section 11320.25 to, and to repeal Section 11320.15 of, the Welfare and Institutions Code, relating to public social services.*

### LEGISLATIVE COUNSEL'S DIGEST

AB 924, as amended, Logue. CalWORKs ~~eligibility: time limits: eligibility and administration.~~

Existing federal law provides for allocation of federal funds through the federal Temporary Assistance for Needy Families (TANF) block grant program to eligible states. Existing law provides for the California Work Opportunity and Responsibility to Kids (CalWORKs) program for the allocation of federal funds received through the TANF program, under which each county provides cash assistance and other benefits to qualified low-income families. Existing law provides that a parent or caretaker relative shall not be eligible for CalWORKs aid when he or she has received aid for a ~~cumulative total of 60~~ *specified number of* months. Existing law excludes any month in which certain conditions exist from being counted as a month of receipt of aid for these purposes.

*Existing law requires certain participants in the CalWORKs program to participate in certain welfare-to-work activities, and imposes graduated financial sanctions on a CalWORKs household when an individual fails or refuses to comply with program requirements, as specified. Under existing law, after a participant has been removed from the assistance unit because he or she has reached the time limit for aid, a county is authorized to provide additional welfare-to-work services and the recipient is required to participate in community service.*

*This bill would revise the requirements for providing aid under the CalWORKs program, ~~including reducing the existing time limits on receipt of aid with a 48-month limit for parents and caregiver relatives, and requiring~~ by deleting the county authority in the latter provision described above to provide welfare-to-work services and the participant's community service requirement. The bill would instead require a parent or caregiver relative who has reached that time limit, as well as an unaided parent or caregiver relative, to satisfy federal work requirements in order for his or her child to continue to receive CalWORKs aid, except as specified. This bill would ~~require counties to provide specified notice of the 48-month time limit. The bill would~~ make these changes operative on the first day of the first month following 90 days after the effective date of the bill, ~~or July 1, 2011, whichever is later. This bill would make various related conforming changes.~~ By increasing county duties in administering the CalWORKs program, the bill would impose a state-mandated local program.*

*The California Constitution requires the state to reimburse local agencies and school districts for certain costs mandated by the state. Statutory provisions establish procedures for making that reimbursement.*

*This bill would provide that, if the Commission on State Mandates determines that the bill contains costs mandated by the state, reimbursement for those costs shall be made pursuant to these statutory provisions.*

*Vote: majority. Appropriation: no. Fiscal committee: yes.  
State-mandated local program: yes.*

*The people of the State of California do enact as follows:*

- 1 *SECTION 1. Section 11320.15 of the Welfare and Institutions*
- 2 *Code, as amended by Section 7 of Chapter 8 of the Statutes of*
- 3 *2011, is repealed.*

1     ~~11320.15.— After a participant has been removed from the~~  
2 ~~assistance unit under subdivision (a) of Section 11454, additional~~  
3 ~~welfare-to-work services may be provided to the recipient, at the~~  
4 ~~option of the county. If the county provides services to the recipient~~  
5 ~~after the 48-month or 60-month limit has been reached, the~~  
6 ~~recipient shall participate in community service.~~

7     *SEC. 2. Section 11320.25 is added to the Welfare and*  
8 *Institutions Code, to read:*

9     *11320.25. Notwithstanding any other provision of law, a parent*  
10 *or caregiver relative in a child-only household, who would not be*  
11 *exempt from welfare-to-work activities under subdivision (b) of*  
12 *Section 11320.3 if he or she were eligible for aid, shall satisfy*  
13 *federal work requirements during any time that the child of the*  
14 *parent or caregiver relative continues to receive aid under this*  
15 *chapter, or aid to the child shall be terminated.*

16     *SEC. 3. Section 11454 of the Welfare and Institutions Code,*  
17 *as amended by Section 26 of Chapter 8 of the Statutes of 2011, is*  
18 *amended to read:*

19     11454. (a) A parent or caretaker relative shall not be eligible  
20 for aid under this chapter when he or she has received aid under  
21 this chapter for a cumulative total of 48 months, or when he or she  
22 has received aid from any state under the Temporary Assistance  
23 for Needy Families program (Part A (commencing with Section  
24 401) of Title IV of the federal Social Security Act (42 U.S.C. Sec.  
25 601 et seq.)) for a cumulative total of 60 months.

26     (b) (1) Except as otherwise specified in subdivision (c), Section  
27 11454.5, or other provisions of law, all months of aid received  
28 under this chapter from January 1, 1998, to the operative date of  
29 this section, inclusive, shall be applied to the 48-month time limit  
30 described in subdivision (a).

31     (2) All months of aid received from September 1, 1996, to the  
32 operative date of this section, inclusive, in any state pursuant to  
33 the Temporary Assistance for Needy Families program (Part A  
34 (commencing with Section 401) of Title IV of the federal Social  
35 Security Act (42 U.S.C. Sec. 601 et seq.)), shall be applied to the  
36 60-month time limit described in subdivision (a).

37     (c) Subdivision (a) and paragraph (1) of subdivision (b) shall  
38 not be applicable when all parents or caretaker relatives of the  
39 aided child who are living in the home of the child meet any of  
40 the following requirements:

1 (1) They are 60 years of age or older.

2 (2) They meet one of the conditions specified in paragraph (4)  
3 or (5) of subdivision (b) of Section 11320.3.

4 (3) They are not included in the assistance unit.

5 (4) They are receiving benefits under Section 12200 or Section  
6 12300, State Disability Insurance benefits or Workers'  
7 Compensation Temporary Disability Insurance, if the disability  
8 significantly impairs the recipient's ability to be regularly employed  
9 or participate in welfare-to-work activities.

10 (5) They are incapable of maintaining employment or  
11 participating in welfare-to-work activities, as determined by the  
12 county, based on the assessment of the individual and the individual  
13 has a history of participation and full cooperation in  
14 welfare-to-work activities.

15 *(d) A parent or caregiver relative who has reached the time*  
16 *limit specified in subdivision (a), and who would not be exempt*  
17 *from welfare-to-work activities under subdivision (b) of Section*  
18 *11320.3, shall satisfy federal work requirements during any time*  
19 *that the child of the parent or caregiver relative continues to*  
20 *receive aid under this chapter, or aid to the child shall be*  
21 *terminated.*

22 *SEC. 4. Notwithstanding any other law, and except as otherwise*  
23 *specified in this act, Sections 1 to 3, inclusive, shall become*  
24 *operative on the first day of the first calendar month following 90*  
25 *days after the effective date of this act.*

26 *SEC. 5. If the Commission on State Mandates determines that*  
27 *this act contains costs mandated by the state, reimbursement to*  
28 *local agencies and school districts for those costs shall be made*  
29 *pursuant to Part 7 (commencing with Section 17500) of Division*  
30 *4 of Title 2 of the Government Code.*

31 ~~SECTION 1. Section 11265.2 of the Welfare and Institutions~~  
32 ~~Code is amended to read:~~

33 ~~11265.2. (a) The grant amount a recipient shall be entitled to~~  
34 ~~receive for each month of the quarterly reporting period shall be~~  
35 ~~prospectively determined as provided by this section. If a recipient~~  
36 ~~reports that he or she does not anticipate any changes in income~~  
37 ~~during the upcoming quarter, compared to the income the recipient~~  
38 ~~reported actually receiving on the quarterly report form, the grant~~  
39 ~~shall be calculated using the actual income received. If a recipient~~  
40 ~~reports that he or she anticipates a change in income in one or more~~

1 months of the upcoming quarter, the county shall determine  
2 whether the recipient's income is reasonably anticipated. The grant  
3 shall be calculated using the income that the county determines is  
4 reasonably anticipated in each of the three months of the upcoming  
5 quarter.

6 (b) For the purposes of the quarterly reporting, prospective  
7 budgeting system, income shall be considered to be "reasonably  
8 anticipated" if the county is reasonably certain of the amount of  
9 income and that the income will be received during the quarterly  
10 reporting period. The county shall determine what income is  
11 "reasonably anticipated" based on information provided by the  
12 recipient and any other available information.

13 (c) If a recipient reports that their income in the upcoming  
14 quarter will be different each month and the county needs  
15 additional information to determine a recipient's reasonably  
16 anticipated income for the following quarter, the county may  
17 require the recipient to provide information about income for each  
18 month of the prior quarter.

19 (d) Grant calculations pursuant to subdivision (a) may not be  
20 revised to adjust the grant amount during the quarterly reporting  
21 period, except as provided in Section 11265.3 and subdivisions  
22 (e), (f), (g), and (h), and as otherwise established by the department.

23 (e) Notwithstanding subdivision (d), statutes and regulations  
24 relating to (1) the 48-month time limit, (2) age limitations for  
25 children under Section 11253, and (3) sanctions and financial  
26 penalties affecting eligibility or grant amount shall be applicable  
27 as provided in those statutes and regulations. Eligibility and grant  
28 amount shall be adjusted during the quarterly reporting period  
29 pursuant to those statutes and regulations effective with the first  
30 monthly grant after timely and adequate notice is provided.

31 (f) Notwithstanding Section 11056, if an applicant applies for  
32 assistance for a child who is currently aided in another assistance  
33 unit, and the county determines that the applicant has care and  
34 control of the child, as specified by the department, and is  
35 otherwise eligible, the county shall discontinue aid to the child in  
36 the existing assistance unit and shall aid the child in the applicant's  
37 assistance unit effective as of the first of the month following the  
38 discontinuance of the child from the existing assistance unit.

39 (g) If the county is notified that a child for whom CalWORKs  
40 assistance is currently being paid has been placed in a foster care

1 home, the county shall discontinue aid to the child at the end of  
2 the month of placement. The county shall discontinue the case if  
3 the remaining assistance unit members are not otherwise eligible.

4 (h) If the county determines that a recipient is no longer a  
5 California resident, pursuant to Section 11100, the recipient shall  
6 be discontinued. The county shall discontinue the case if the  
7 remaining assistance unit members are not otherwise eligible.

8 SEC. 2.—Section 11266.5 of the Welfare and Institutions Code  
9 is amended to read:

10 11266.5.—(a) Every applicant for aid under this chapter shall  
11 be informed of the availability of lump-sum diversion services to  
12 resolve the circumstances that require the family to apply for  
13 assistance prior to the family's approval for aid.

14 (b) When an applicant is determined to be eligible for assistance  
15 under this chapter, the county shall assess whether the applicant  
16 would benefit from the lump-sum diversion program. The county  
17 shall make this determination in its sole discretion. In making this  
18 determination, the county shall consider whether the applicant is  
19 likely to be able to avoid the need for extended assistance beyond  
20 the diversion period if the family was provided one-time assistance.  
21 In making this determination, the county may consider any of the  
22 following:

23 (1) The applicant's employment history.

24 (2) The likelihood of the applicant obtaining immediate full-time  
25 employment.

26 (3) The applicant's general prospect for obtaining full-time  
27 employment.

28 (4) The applicant's need for cash assistance to pay for housing  
29 or substantial and unforeseen expenses or work-related expenses.

30 (5) Housing stability.

31 (6) The adequacy of the applicant's child care arrangements, if  
32 applicable.

33 (c) If the county determines, pursuant to subdivision (b), that  
34 an applicant could benefit from a lump-sum diversion payment,  
35 the county shall inform the applicant of its determination.

36 (d) An applicant for aid under this chapter may either participate  
37 in the lump-sum diversion program or decline participation in  
38 diversion and, instead, receive aid as otherwise provided for in  
39 this chapter.

1 ~~(e) Lump-sum diversion services provided under this section~~  
2 ~~may include any cash or noncash payment and shall be negotiated~~  
3 ~~by the county and the applicant in order to assist the applicant in~~  
4 ~~avoiding the need for aid under this chapter.~~

5 ~~(f) If, after accepting a diversion payment pursuant to this~~  
6 ~~section, the individual reapplies for aid under this chapter within~~  
7 ~~the amount of time that corresponds with the number of months~~  
8 ~~of aid that would have been received under this chapter that was~~  
9 ~~received as a diversion payment, excluding a partial month, and~~  
10 ~~he or she is determined to be eligible for aid, the county shall, at~~  
11 ~~the option of the recipient, either recoup from the recipient's grant,~~  
12 ~~over a period of time to be determined by the county, the amount~~  
13 ~~of the diversion payment that the recipient received, or count the~~  
14 ~~period of time that corresponds to the number of months of aid~~  
15 ~~that would have been received, excluding a partial month of aid,~~  
16 ~~towards the 48-month time limit on aid specified in subdivision~~  
17 ~~(a) of Section 11454.~~

18 ~~(g) To the extent permitted by federal law, lump-sum diversion~~  
19 ~~payments shall not be considered income for the purpose of~~  
20 ~~determining eligibility for food stamps.~~

21 ~~(h) Any child support collected by the applicant or recovered~~  
22 ~~by the county shall not be used to offset the diversion payment.~~

23 ~~(i) During the period of the diversion, the applicant family shall~~  
24 ~~be eligible for Medi-Cal and child care assistance pursuant to~~  
25 ~~Article 15.5 (commencing with Section 8350) of Chapter 2 of Part~~  
26 ~~6 of the Education Code, if otherwise eligible.~~

27 ~~SEC. 3. Section 11320.15 of the Welfare and Institutions Code~~  
28 ~~is repealed.~~

29 ~~SEC. 4. Section 11320.2 of the Welfare and Institutions Code~~  
30 ~~is amended to read:~~

31 ~~11320.2. (a) Commencing July 1, 2011, subject to subdivision~~  
32 ~~(g), the county shall conduct self-sufficiency reviews with all aided~~  
33 ~~caretaker relatives and the adult caretaker or minor parent~~  
34 ~~head-of-household in child-only cases, except for individuals who~~  
35 ~~are exempt from welfare-to-work activities pursuant to Section~~  
36 ~~11320.3. Reviews shall be conducted every six months, except as~~  
37 ~~otherwise provided in this subdivision. For an assistance unit~~  
38 ~~determined to be eligible under this chapter on or after July 1,~~  
39 ~~2011, reviews shall be conducted at the end of the assistance unit's~~  
40 ~~second and fourth quarterly reporting periods. The review at the~~

1 fourth quarterly reporting period shall be conducted with the annual  
2 redetermination, on the same day and in the same location. The  
3 notice, scheduling, and accommodation requirements used for the  
4 annual redetermination shall be utilized uniformly for the  
5 self-sufficiency reviews. For an assistance unit determined to be  
6 eligible under this chapter prior to July 1, 2011, reviews shall be  
7 conducted starting at the end of each assistance unit's second  
8 quarterly reporting period and with the next regularly scheduled  
9 redetermination, and then annually thereafter.

10 (b) The county shall provide notification to individuals for whom  
11 a review has been scheduled, not less than 60 calendar days prior  
12 to the appointment, and provide for a process for rescheduling, if  
13 necessary, on a date not to exceed 20 calendar days beyond the  
14 scheduled review.

15 (c) Self-sufficiency reviews shall be conducted by a county  
16 social worker or employment services worker.

17 (d) The purposes of the self-sufficiency review are to determine  
18 barriers to participation, including those that may establish the  
19 basis for an exemption, to assess needed services and resources,  
20 and to provide tools to connect the recipient with the needed  
21 services and activities in order to increase his or her work or  
22 community service participation pursuant to Section 11320.

23 (e) (1) If the recipient fails to attend the review, the county  
24 shall provide the recipient with a notice that the county shall reduce  
25 the recipient's benefits by 50 percent after 30 calendar days, unless  
26 the participant has complied or provided good cause. Prior to  
27 reducing benefits by 50 percent, the county shall attempt to make  
28 personal contact, consistent with current practice as exercised for  
29 the annual redetermination, to remind the recipient that attending  
30 the self-sufficiency review is required, or, if contact is not made,  
31 shall send a reminder notice to the recipient no later than five days  
32 prior to the end of the 30-calendar day period. The county may  
33 determine at any time prior to reducing benefits by 50 percent for  
34 failure to attend the self-sufficiency review, or after the sanction  
35 has been imposed, that a recipient had good cause for failing to  
36 attend the self-sufficiency review. A notice regarding a 50-percent  
37 reduction in benefits shall be rescinded when the self-sufficiency  
38 review is completed.

1     ~~(2) If the participant is found to not comply with the requirement~~  
2     ~~to attend the self-sufficiency review, the benefits shall be reduced~~  
3     ~~by 50 percent.~~

4     ~~(3) The county may determine, at any time prior to the end of~~  
5     ~~the 30-calendar day period following the reduction of benefits by~~  
6     ~~50 percent for failure to attend the self-sufficiency review, or after~~  
7     ~~the sanction has been imposed, that a recipient had good cause for~~  
8     ~~failing to attend the review. If the county finds a recipient had~~  
9     ~~good cause, it shall rescind the reduction in benefits notice. Good~~  
10    ~~cause exists only when the recipient cannot reasonably be expected~~  
11    ~~to fulfill his or her responsibilities, due to factors beyond the~~  
12    ~~recipient's control.~~

13    ~~(f) Not later than January 1, 2013, the county shall provide the~~  
14    ~~department with an evaluation of the implementation of the~~  
15    ~~self-sufficiency reviews that addresses the effectiveness of the~~  
16    ~~reviews in meeting the goals stated in subdivision (d). Upon receipt~~  
17    ~~of all of the county evaluations, the department shall forward the~~  
18    ~~evaluations to the relevant fiscal and policy committees of the~~  
19    ~~Legislature for review.~~

20    ~~(g) An aided adult who is fully meeting the hours of participation~~  
21    ~~required of CalWORKs recipients under applicable state law shall~~  
22    ~~not be subject to self-sufficiency reviews.~~

23    ~~(h) A review conducted in accordance with this section that~~  
24    ~~occurs at the 42nd month of aid pursuant to Section 11454 shall~~  
25    ~~include all of the components specified in subdivision (a), and~~  
26    ~~shall also include information and a warning to the individual~~  
27    ~~regarding the upcoming consequences of reaching the 48-month~~  
28    ~~time limit, depending on the specific circumstances of the case.~~  
29    ~~The review shall occur six months before the time limit. However,~~  
30    ~~if a recipient returns to aided status when fewer than six months~~  
31    ~~remain before the 48-month time limit, he or she shall receive a~~  
32    ~~review under this section within a reasonable time prior to the 48th~~  
33    ~~month, as determined by the county.~~

34    ~~(i) This section shall become operative on July 1, 2011.~~

35    ~~SEC. 5. Section 11327.5 of the Welfare and Institutions Code,~~  
36    ~~as amended by Section 2 of Chapter 8 of the 4th Extraordinary~~  
37    ~~Session of the Statutes of 2009, is repealed.~~

38    ~~SEC. 6. Section 11327.5 of the Welfare and Institutions Code,~~  
39    ~~as added by Section 3 of Chapter 8 of the 4th Extraordinary Session~~  
40    ~~of the Statutes of 2009, is amended to read:~~

1     ~~11327.5.—(a) Sanctions shall be imposed in accordance with~~  
2     ~~subdivision (b) or (c), as appropriate, if an individual has failed or~~  
3     ~~refused to comply with program requirements without good cause~~  
4     ~~and conciliation efforts, as described in Section 11327.4, have~~  
5     ~~failed.~~

6     ~~(b) The sanctions provided for in subdivisions (c) and (d) shall~~  
7     ~~not apply to an individual who is exempt from the requirements~~  
8     ~~of this article but is voluntarily participating in the program. If that~~  
9     ~~individual engages in conduct that would bring about the actions~~  
10    ~~provided for in subdivisions (c) and (d), except for his or her status~~  
11    ~~as a voluntary program participant, the individual shall not be~~  
12    ~~given priority so long as other individuals are actively seeking to~~  
13    ~~participate.~~

14    ~~(c) Financial sanctions for failing or refusing to comply with~~  
15    ~~program requirements without good cause shall cause a reduction~~  
16    ~~in the family's grant, in accordance with subdivision (d).~~

17    ~~(1) For families that qualify for aid due to unemployment of the~~  
18    ~~family's primary wage earner, the sanctioned parent shall be~~  
19    ~~removed from the assistance unit. Unless the spouse or the family's~~  
20    ~~second parent meets the provisions of subparagraph (A) of~~  
21    ~~paragraph (2), if the sanctioned parent's spouse or the family's~~  
22    ~~second parent is not participating in the program, both the~~  
23    ~~sanctioned parent and the spouse or second parent shall be removed~~  
24    ~~from the assistance unit. The county shall notify the spouse of the~~  
25    ~~noncomplying participant or second parent in writing at the~~  
26    ~~commencement of conciliation of his or her own opportunity to~~  
27    ~~participate and the impact on sanctions of that participation.~~

28    ~~(2) (A) Except as provided in subparagraph (B), exemption~~  
29    ~~criteria specified in Section 11320.3, conciliation specified in~~  
30    ~~Section 11327.4, and good cause criteria specified in Section~~  
31    ~~11320.31 and subdivision (f) of Section 11320.3 shall apply to the~~  
32    ~~sanctioned parent's spouse or the family's second parent.~~

33    ~~(B) Exemption criteria specified in paragraphs (5) and (6) of~~  
34    ~~subdivision (b) of Section 11320.3 do not apply to a spouse or~~  
35    ~~second parent who is participating to avoid the sanction of the~~  
36    ~~noncomplying parent.~~

37    ~~(C) If the sanctioned parent's spouse or the family's second~~  
38    ~~parent chooses to participate to avoid the noncomplying parent's~~  
39    ~~sanction, subsequently fails or refuses to participate without good~~  
40    ~~cause, and does not conciliate, he or she shall be removed from~~

1 the assistance unit for a period of time specified in subdivision  
2 (d).

3 (D) If the sanctioned parent's spouse or the family's second  
4 parent is under his or her own sanction at the time of the first  
5 parent's sanction, the spouse or second parent shall not be provided  
6 the opportunity to avoid the first parent's sanction until the spouse  
7 or second parent's sanction is completed.

8 (3) For families that qualify due to the absence or incapacity of  
9 a parent, only the noncomplying parent shall be removed from the  
10 assistance unit.

11 (4) If the noncomplying individual is the only dependent child  
12 in the family, his or her needs shall not be taken into account in  
13 determining the family's need for assistance and the amount of  
14 the assistance payment.

15 (5) If the noncomplying individual is one of several dependent  
16 children in the family, his or her needs shall not be taken into  
17 account in determining the family's need for assistance and the  
18 amount of the assistance payment.

19 (d) (1) An instance of noncompliance without good cause shall  
20 result in a financial sanction, consisting of removing the  
21 noncomplying family member from the assistance unit, after the  
22 noncompliance persists for three cumulative months. The  
23 conciliation process described in Section 11327.4 shall occur  
24 during the first 30 days of this three-month period. A sanction  
25 under this section shall terminate at any point if the noncomplying  
26 participant performs the activity or activities he or she previously  
27 refused to perform.

28 (2) (A) If the instance of noncompliance persists for three  
29 cumulative months, the county shall review and assess the  
30 circumstances of the noncomplying individual in order to determine  
31 and identify potential barriers to participation, assess the need for  
32 services or resources, and provide tools to connect the individual  
33 with services and activities. The review and assessment shall be  
34 conducted by a social worker or employment services worker. The  
35 county shall make a good faith effort to remediate any barriers that  
36 are identified. If barriers relating to substance abuse, mental health,  
37 or domestic violence are suspected, the county shall schedule  
38 assessments with an employment specialist or social worker for  
39 the individual in order to assess and review for treatment. This

1 review shall occur within 30 days after the grant reduction made  
2 pursuant to paragraph (1).

3 (B) If the county fails to conduct a review or remediate any  
4 issues pursuant to this paragraph, or if the county determines that  
5 the individual is in compliance pursuant to paragraph (1), or is  
6 exempt from welfare-to-work requirements, the sanction shall  
7 terminate. If failure to conduct a review or remediate an issue is  
8 the result of the recipient's noncompliance, the sanction shall  
9 continue.

10 (3) (A) If the instance of noncompliance persists for an  
11 additional three cumulative months after a grant reduction is made  
12 pursuant to paragraph (1), the grant shall be decreased by an  
13 amount equal to 25 percent of the child-only grant, which already  
14 reflects the removal of the parent.

15 (B) If the instance of noncompliance persists for an additional  
16 three cumulative months after the family's grant is reduced under  
17 subparagraph (A), a second review and assessment shall be  
18 conducted in accordance with the requirements of paragraph (2).  
19 The second review and assessment shall be conducted within 30  
20 days of the most recent grant reduction pursuant to subparagraph  
21 (A). After the review and assessment conducted under this  
22 paragraph, if the instance of noncompliance persists for an  
23 additional three cumulative months after the most recent reduction,  
24 the family's aid grant shall be decreased by an amount equal to 50  
25 percent of the child-only grant level that existed prior to the  
26 25-percent reduction.

27 (C) At any time, if the noncomplying member is determined to  
28 be exempt, or comes into compliance with applicable CalWORKs  
29 work requirements, the sanction shall terminate and the full aid  
30 grant amount shall be restored.

31 (4) (A) With respect to an assistance unit from which the adult's  
32 share of the grant has been terminated due to the expiration of the  
33 48-month period provided for pursuant to Section 11454, the  
34 county shall impose the sanctions provided for in this section only  
35 if the county makes available to the adult necessary child care  
36 services, and all applicable exemptions. If the Legislature has made  
37 a specific appropriation for transportation services for families  
38 who have exceeded the 48-month time limit and the county has  
39 not made this service available to the adult, as necessary, a sanction  
40 shall not be imposed. These cases shall receive a review pursuant

1 to subdivision (g) of Section 11320.2 at the 42nd month of aid in  
2 preparation for this assessment by the county, including reviewing  
3 possible exemptions and discussing possible grant reductions if  
4 the family is not in compliance after the 48 months with the state  
5 participation requirements, as determined by the county. The  
6 individual shall receive notice of the review, which shall include  
7 informing the individual of the risk of having the grant further  
8 reduced by 25 percent if the parent does not comply with  
9 CalWORKs requirements after the 48th month on aid, as well as  
10 opportunities to come into compliance and services that may be  
11 available from the county.

12 (B) If the county determines after the 48th month on aid that  
13 the adult is not in compliance and does not otherwise meet  
14 exemption criteria, such as SSI eligibility or being an elderly  
15 caregiver, and the service requirements of the county as specified  
16 in subparagraph (A) have been met, then the aid grant shall be  
17 decreased by an amount equal to 25 percent of the child-only  
18 portion of the grant, thus resulting in a grant level equal to 75  
19 percent of the child-only grant level in the 47th month, or the  
20 month prior to entering the safety net. Review and assessment  
21 pursuant to paragraph (2) shall be scheduled with the adult in this  
22 assistance unit at this time.

23 (C) If the noncompliance persists for three cumulative months  
24 after the grant reduction pursuant to subparagraph (B) the review  
25 and assessment conducted pursuant to paragraph (2), and the county  
26 has met the service requirements specified in subparagraph (A);  
27 then the aid grant shall be decreased by an amount equal to 50  
28 percent of the child-only aid grant thus resulting in a grant level  
29 equal to 50 percent of the child-only grant level in the 47th month,  
30 or the month prior to entering the safety net.

31 (D) At any time, if the noncomplying member is determined to  
32 be exempt from welfare-to-work activities, or comes into  
33 compliance with applicable CalWORKs work requirements, the  
34 sanction shall terminate and the full aid grant amount shall be  
35 restored.

36 (5) (A) After 48 full months of aid, with respect to an assistance  
37 unit for which there is no adult share due to the adult being (i) not  
38 lawfully present in the United States, (ii) a person described by  
39 Section 608(a)(9)(A) of Title 42 of the United States Code, or (iii)  
40 convicted of any offense classified as a felony by the law of the

jurisdiction involved and that has as an element of the possession, use, or distribution of a controlled substance, as defined in Section 802(6) of Title 21 of the United States Code, the county shall apply the sanction provisions contained in subparagraph (B) to the assistance unit allowing for all applicable exemptions. If the county makes available to the adult, at county expense or pursuant to a specific General Fund appropriation, necessary supportive services of child care and transportation, in addition to community service opportunities, and the family is in compliance with work requirements the family shall receive the full child-only grant. These cases shall receive a self-sufficiency review pursuant to subdivision (g) of Section 11320.2 at the 54th month of aid, in preparation for this assessment by the county, including reviewing possible exemptions, and discussing possible grant reductions if the family is not in compliance with the state participation requirements after 48 months, as determined by the county.

(B) If the county determines after the 48 months of aid that the adult does not otherwise meet exemption criteria, including those that acknowledge the adult's inability to work, such as SSI eligibility or being an elderly caregiver, and the service requirements of the county as specified in subparagraph (A) have been met, then the aid grant shall be decreased by an amount equal to 25 percent of the child-only portion of the grant amount, thus resulting in a grant level equal to 75 percent of the child-only grant level in the 59th month or the month prior to entering the safety net. Review and assessment pursuant to paragraph (2) shall be scheduled with the adult in this assistance unit at this time.

(C) If the noncompliance persists for three cumulative months after the review and assessment conducted pursuant to paragraph (2), and the service requirements of the county as specified in subparagraph (A) have been met, the family's aid grant shall be decreased to an amount equal to 50 percent of the child-only portion of the grant amount, thus resulting in a grant level equal to 50 percent of the child-only grant level in the 47th month prior to entering the safety net.

(D) At any time, if the noncomplying member is determined to be exempt from welfare-to-work activities, or comes into compliance with applicable CalWORKs work requirements, the sanction shall terminate and the full aid grant amount shall be restored.

1 ~~(e) Sanctions shall become effective on the first day of the first~~  
2 ~~payment month that the sanctioned individual's needs are removed~~  
3 ~~or further reductions are made to aid under this chapter.~~

4 ~~(f) The additional monetary sanctions imposed in subdivision~~  
5 ~~(d) shall not apply if the only sanctioned individual in the family~~  
6 ~~is a dependent child.~~

7 ~~(g) The county shall send individuals subject to sanction a notice~~  
8 ~~by the end of their second cumulative month on sanction, and a~~  
9 ~~notice by the end of their fifth cumulative month on sanction,~~  
10 ~~reminding them that their aid will further decrease if the sanction~~  
11 ~~is not cured by the end of the third or sixth month, respectively.~~

12 ~~(h) In addition to the notice required pursuant to subdivision~~  
13 ~~(d), counties shall attempt to contact the noncompliant individual~~  
14 ~~prior to imposing a sanction reducing the family's aid. This contact~~  
15 ~~may be achieved through telephone calls, letters, home visits, or~~  
16 ~~some combination of these methods.~~

17 ~~(i) The review and assessment described in paragraph (2) of~~  
18 ~~subdivision (d) shall be deemed to satisfy the requirements for a~~  
19 ~~self-sufficiency review pursuant to Section 11320.2 if the review~~  
20 ~~and assessment occurs within the same month that a~~  
21 ~~self-sufficiency review under Section 11320.2 would have been~~  
22 ~~scheduled. If failure to conduct the review or assessment is the~~  
23 ~~result of the recipient's noncompliance, the sanction or further~~  
24 ~~reduction shall become effective under this chapter.~~

25 ~~(j) Any review or assessment required under this section may~~  
26 ~~be conducted through face-to-face meetings or home visits.~~

27 ~~SEC. 7. Section 11454 of the Welfare and Institutions Code,~~  
28 ~~as amended by Section 5 of Chapter 8 of the Fourth Extraordinary~~  
29 ~~Session of the Statutes of 2009, is amended to read:~~

30 ~~11454. (a) (1) A parent or caretaker relative shall not be~~  
31 ~~eligible for aid under this chapter when he or she has received aid~~  
32 ~~under this chapter or from any state under the Temporary~~  
33 ~~Assistance for Needy Families program (Part A (commencing with~~  
34 ~~Section 401) of Title IV of the federal Social Security Act (42~~  
35 ~~U.S.C. Sec. 601 et seq.) for a cumulative total of 48 months.~~

36 ~~(2) After a parent or caretaker relative has received aid for a~~  
37 ~~total of 48 months, pursuant to paragraph (1), he or she shall be~~  
38 ~~removed from the assistance unit for the purposes of calculation~~  
39 ~~of aid under Section 11450, and he or she shall no longer be~~

1 required to participate in welfare-to-work activities, except to the  
2 extent required under subdivision (d).

3 ~~(b) No month in which aid has been received prior to January~~  
4 ~~1, 1998, shall be taken into consideration in computing the~~  
5 ~~48-month limitation provided for in subdivision (a).~~

6 ~~(e) Subdivision (a) shall not be applicable when all parent or~~  
7 ~~caretaker relatives of the aided child who are living in the home~~  
8 ~~of the child meet any of the following requirements:~~

9 ~~(1) They are 60 years of age or older.~~

10 ~~(2) They meet one of the conditions specified in paragraph (4)~~  
11 ~~or (5) of subdivision (b) of Section 11320.3.~~

12 ~~(3) They are not included in the assistance unit.~~

13 ~~(4) They are receiving benefits under Section 12200 or Section~~  
14 ~~12300, State Disability Insurance benefits or Workers'~~  
15 ~~Compensation Temporary Disability Insurance, if the disability~~  
16 ~~significantly impairs the recipient's ability to be regularly employed~~  
17 ~~or participate in welfare-to-work activities.~~

18 ~~(5) They are incapable of maintaining employment or~~  
19 ~~participating in welfare-to-work activities, as determined by the~~  
20 ~~county, based on the assessment of the individual and the individual~~  
21 ~~has a history of participation and full cooperation in~~  
22 ~~welfare-to-work activities.~~

23 ~~(d) A parent or caregiver relative who has reached the time limit~~  
24 ~~specified in subdivision (a), and who would not be exempt from~~  
25 ~~welfare-to-work activities under subdivision (b) of Section 11320.3,~~  
26 ~~shall satisfy federal work requirements during any time that the~~  
27 ~~child of the parent or caregiver relative continues to receive aid~~  
28 ~~under this chapter, or aid to the child shall be terminated.~~

29 ~~(e) Counties shall notify families of the reduction in time~~  
30 ~~limitations specified in this section within a reasonable time~~  
31 ~~following the effective date of the act that added this subdivision.~~

32 ~~SEC. 8. Section 11454 of the Welfare and Institutions Code,~~  
33 ~~as added by Section 6 of Chapter 8 of the Fourth Extraordinary~~  
34 ~~Session of the Statutes of 2009, is repealed.~~

35 ~~SEC. 9. Section 17021 of the Welfare and Institutions Code is~~  
36 ~~amended to read:~~

37 ~~17021. (a) Any individual who is not eligible for aid under~~  
38 ~~Chapter 2 (commencing with Section 11200) of Part 3 as a result~~  
39 ~~of the 48-month limitation specified in subdivision (a) of Section~~  
40 ~~11454 shall not be eligible for aid or assistance under this part~~

1 until all of the children of the individual on whose behalf aid was  
2 received, whether or not currently living in the home with the  
3 individual, are 18 years of age or older.

4 (b) Any individual who is receiving aid under Chapter 2  
5 (commencing with Section 11200) of Part 3 on behalf of an eligible  
6 child, but who is either ineligible for aid or whose needs are not  
7 otherwise taken into account in determining the amount of aid to  
8 the family pursuant to Section 11450 due to the imposition of a  
9 sanction or penalty, shall not be eligible for aid or assistance under  
10 this part.

11 (c) This section shall not apply to health care benefits provided  
12 under this part.

13 SEC. 10. Sections 1, 2, 4, 6, 7, and 9 of this act shall become  
14 operative on July 1, 2011, or the first day of the first month  
15 following 90 days after the effective date of the act, whichever is  
16 later.

17 SEC. 11. If the Commission on State Mandates determines  
18 that this act contains costs mandated by the state, reimbursement  
19 to local agencies and school districts for those costs shall be made  
20 pursuant to Part 7 (commencing with Section 17500) of Division  
21 4 of Title 2 of the Government Code.